

A PUBLIC OFFICIAL OR EMPLOYEE WHO IS COVERED UNDER SUBSECTION (A) OF THIS SECTION MAY TEMPORARILY POSSESS CONTROLLED DANGEROUS SUBSTANCES OR CONTROLLED PARAPHERNALIA INCIDENTAL TO THE DISCHARGE OF OFFICIAL OR EMPLOYEE DUTIES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 298(b).

In subsection (a) of this section, the former references to a "duly" authorized officer or employee are deleted as surplusage.

Also in subsection (a) of this section, the former reference to a "municipal ordinance" is deleted as included in the reference to "law".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that subsection (b) of this section is derived from former Art. 27, § 298(b), which was enacted by Chapter 403 of the Acts of 1970 and became effective July 1, 1970. It refers only to "controlled paraphernalia", also enacted by Chapter 403, not to "drug paraphernalia". "Drug paraphernalia" is a later term, first defined in Art. 27, § 287A(a), which was enacted by Chapter 874 of the Acts of 1980 and became effective May 27, 1980. The General Assembly may wish to consider adding a reference to "drug paraphernalia" to subsection (b) of this section.

Defined terms: "Controlled dangerous substance" § 5-101

"Controlled paraphernalia" § 5-101

"Possess" § 5-101

5-809. HEARSAY ADMITTED AT BAIL OR SENTENCING HEARING.

NOTWITHSTANDING ANY OTHER LAW, AT A HEARING RELATING TO BAIL OR SENTENCING ARISING OUT OF A VIOLATION OR ALLEGED VIOLATION OF THIS TITLE, HEARSAY EVIDENCE IS ADMISSIBLE IF:

(1) THE HEARSAY IS RELEVANT TO THE ISSUE; AND

(2) THE UNDERLYING CIRCUMSTANCES ON WHICH THE HEARSAY IS BASED AND THE RELIABILITY OF THE SOURCE OF THE INFORMATION ARE DEMONSTRATED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 298(d).

In the introductory language of this section, the former reference to "any provision of" this title is deleted as surplusage.

5-810. CONVICTIONS AND REPORTS TO LICENSING AUTHORITIES.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DRUG CRIME" MEANS: